

### **REMARKS**

Claims 1-20 are pending.

Claims 1-20 are rejected.

Claims 8-10, 12, 15, 18, and 20 have been amended solely for clarification purposes and not for any reason regarding patentability. No new matter has been entered in view of these amendments.

Applicants submit that the objections and claim rejections should be withdrawn for the reasons discussed below.

### **ARGUMENTS**

#### ***Objections***

The Office Action objected to claims 8-10, 12, and 15-19. With respect to claims 8-10 and 12, the Office Action objected to "the receiver." Applicants have amended claims 8-10 and 12 to clarify the terminology to be "the alert receiver."

With respect to claim 15, the Office Action objected to "those reports." Applicants have amended claim 15 to clarify "reports."

With respect to claim 18, the Office Action objected to "the codes." Applicants have amended claim 18 to clarify "the codes designating geographic locations."

Therefore, Applicants submit that the Objections should be withdrawn.

#### ***35 U.S.C. § 112 Rejection, Second Paragraph of Claims 8-10***

The Office Action rejected claims 8-10 under 35 U.S.C. § 112, second paragraph as being indefinite. In particular, the Office Action indicated claim 8 lacks antecedent basis for "the event codes." Applicants have amended claim 8 to clarify "one or more event codes."

Further, the Office Action indicated claim 9 lacks antecedent basis for "the receiver's location." Applicants have amended claim 9 to clarify "a location of the alert receiver."

In addition, the Office Action indicated that "geographic codes" in claim 8 is unclear. Applicants have amended claim 8 to clarify "the codes designating geographic locations."

Finally, the Office Action rejected claim 10, but did not provide an explanation of such rejection. Applicants respectfully request an explanation of the rejection of claim 10. Nonetheless, Applicants have amended claim 10 to clarify "the codes designating geographic locations."

Accordingly, Applicants submit that the rejections of claims 8-10 be withdrawn.

***35 U.S.C. § 101 Rejection of Claims 1 and 15***

The Office Action rejected claims 1 and 15 as being directed to non-statutory subject matter on the basis that software rather than functional structure of a machine is provided. Applicants respectfully submit that claims 1 and 15 are clearly directed towards a machine under 35 U.S.C. § 101.

With respect to claim 1, an alert receiver is a machine. The discriminator and warning device are physical components of that machine. The physical layout of the components of the alert receiver is indicated in FIG. 2. See Specification, page 6, lines 23-24, FIG. 2. The discriminator 32 is one physical component and the warning device 30 is another. As an example of a physical component, the Specification mentions that the warning device 30 "may further include one or more of display 28, a visual warning device 31 (e.g., a flashlight light) and/or an audio warning device 34 (e.g., a speaker)." See Specification, page 6, line 32 through page 7, line 2. Accordingly, Applicants submit that claim 1 does include functional structure of a machine. Therefore, Applicants submit that the rejection of claim 1 should be withdrawn.

Further, Applicants submit that the alert system of claim 15 is a machine and includes functional structure for the same reasons discussed with respect to claim 1. Therefore, Applicants submit that the rejection of claim 15 should be withdrawn.

**35 U.S.C. § 102(e) Rejection of Claims 1-10 and 14-20**

The Office Action rejected Claims 1-10 and 14-20 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,710,715 to Deeds ("Deeds"). Applicants disagree with this ground of rejection.

Claim 1

With respect to claim 1, the Office Action contends that Deeds teaches a discriminator which receives encoded signals from a network such that the encoded signals include codes designating geographic locations. See Office Action, page 5. However, the section cited by the Office Action, i.e., col. 13, lines 31-33 and 38-40 of Deeds, is directed toward decoding data content for a comparison of information. On the contrary, claim 1 is directed towards comparing the encoded signals received from the network to codes associated with specific localities to determine whether to alert a user. As a result, Deeds does not teach a discriminator that "compares the encoded signals, which include codes designating geographic locations, to codes associated with specific localities to determine whether to alert a user."

Further, the Office Action contends that Deeds teaches "a warning device responsive to a result of comparing the encoded signals to the codes associated with specific localities." See Office Action, page 5. However, Deeds does not provide such a warning device because, as discussed above, Deeds does not provide a comparison of the "encoded signals to the codes associated with specific localities." Accordingly, Applicants submit that the rejection of claim 1 should be withdrawn.

Claims 2-10 and 14

As claims 2-10 and 14 depend from independent claim 1, Applicants submit that these claims are allowable for the reasons discussed with respect to independent claim 1. Therefore, Applicant submits that the rejections of claims 2-10 and 14 be withdrawn.

#### Claim 15

With respect to claim 15, the Office Action contends that Deeds teaches "a warning device located at the user's location to inform a user of the reports corresponding to the code designation associated with the user's location." See Office Action, page 5. However, Deeds does not teach a warning device located at the user's location. In Figure 2 of Deeds, the user interface is indicated as being remote. The control/timing logic 214 that is referred to in one of the Sections cited to by the Office Action, i.e., col. 13, lines 45-49, is not at the user's location since the user's location is remote. Accordingly, Applicants submit that the rejection of claim 15 should be withdrawn.

#### Claims 16-19

As claims 16-19 depend from independent claim 1, Applicants submit that these claims are allowable for the reasons discussed with respect to independent claim 1. Therefore, Applicant submits that the rejections of claims 2-10 and 14 be withdrawn.

#### Claim 20

Applicants have amended independent claim 20 to clarify the comparison of "codes that designate geographic locations to the code designation associated with a user location, the codes that designate geographic locations being in the alert message" and that the rendering of the alert occurs "upon a match of the codes that designate geographic locations and the code designation associated with the user location." Accordingly, amended independent claim 20 is allowable for similar reasons as discussed with respect to independent claim 1. Therefore, Applicants submit that the rejection of claim 20 be withdrawn.

#### ***35 U.S.C. § 103(a) Rejection of Claim 12***

The Office Action rejected claim 12 under 35 U.S.C. § 103(a) as being obvious over Deeds. As claim 12 depends from independent claim 1, Applicants submit that these claims are allowable for the reasons discussed with respect to

independent claim 1. Therefore, Applicants submit that the rejection of claim 12 be withdrawn.

**35 U.S.C. § 103(a) Rejection of Claim 11**

The Office Action rejected claim 11 under 35 U.S.C. § 103(a) as being obvious over Deeds in view of U.S. Patent Application Publication No. 2003/0121036 to Lock et al. ("Lock"). As claim 11 depends from independent claim 1, Applicants submit that these claims are allowable for the reasons discussed with respect to independent claim 1. Therefore, Applicants submit that the rejection of claim 11 be withdrawn.

**35 U.S.C. § 103(a) Rejection of Claim 13**

The Office Action rejected claim 13 under 35 U.S.C. § 103(a) as being obvious over Deeds in view of U.S. Patent No. 5,940,776 to Baron ("Baron"). As claim 13 depends from independent claim 1, Applicants submit that these claims are allowable for the reasons discussed with respect to independent claim 1. Therefore, Applicants submit that the rejection of claim 13 be withdrawn.

Having fully addressed the Examiner's objections and rejections, it is believed that this patent application is in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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